

## REMARKS

Reconsideration of this application is respectfully requested.

This application has been reviewed in light of the Office Action dated June 30, 2004. Claims 1-8 are currently pending in the application.

Claims 1-8 are currently pending in this application. In the Office Action, the Examiner has rejected Claims 6-7 under 35 U.S.C. § 102(e) as being anticipated by *Smith et al.* (U.S. 5,923,327), Claims 1-5 and 7 under 35 U.S.C. § 103(a) as being unpatentable over *Smith* in view of *Smethers* (U.S. 6,463,304 B2), and Claim 8 under 35 U.S.C. § 103(a) as being unpatentable over *Smith* in view of *Kenagy et al.* (U.S. 5,842,124).

With regard to the rejection of independent Claim 6 under 35 U.S.C. § 102(e) as being anticipated by *Smith*, the Examiner still asserts that *Smith* teaches all the recitations of Claim 6. It is respectfully submitted that the Examiner is incorrect.

Independent Claim 6 is directed to a method for editing a main menu configuration in a mobile telephone. The method of Claim 6 comprises: displaying a menu edit screen, if a menu edit submenu is selected; displaying a menu configuration submenu, if a menu configuration edit submenu is selected; editing a menu configuration by newly selecting submenus of the menu configuration submenu; inputting titles of the newly selected submenus; and storing the edited menu configuration with a title input by a user. *Smith*, and more specifically, the sections of *Smith* cited by the Examiner, are directed to entering fields of an electronic business card (EBC), not editing a main menu configuration. It is respectfully submitted that there is no section of *Smith* that teaches the recitations for editing a main menu configuration as recited in Claim 6. Further, the Examiner is still citing the steps for entering the information fields of an electronic business card, which it is respectfully submitted, does not read upon the recitations of Claim 6. *Smith* merely teaches adding contact information to address fields. Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting independent Claim 6 as being anticipated by *Smith*, and it is respectfully requested that the rejection of Claim 6 be withdrawn.

Additionally, in the Examiner's response to our previous arguments, the Examiner asserts that "editing a main menu configuration" is not recited in the claims. However, Claim 6 reads as follows (emphasis added):

6. **A method for editing a main menu configuration** in a mobile telephone, the method comprising:

- displaying a menu edit screen, if a menu edit submenu is selected;
- displaying a menu configuration submenu, if a menu configuration edit submenu is selected;
- editing a menu configuration by newly selecting submenus of the menu configuration submenu;
- inputting titles of the newly selected submenus; and
- storing the edited menu configuration with a title input by a user.

As this recitation is found in the first line of Claim 6, it is respectfully submitted that the Examiner is incorrect.

Additionally, the Examiner has also rejected Claim 6 under 35 U.S.C. § 103(a) as being unpatentable over *Smith* in view of *Smethers*. However, the Examiner has provided no explanation of this rejection. Therefore, it is respectfully submitted that the Examiner erroneously listed Claim 6 in the rejection under 35 U.S.C. § 103(a), and it is respectfully submitted that no argument must be presented regarding Claim 6 and *Smith* in view of *Smethers*.

With regard to independent Claims 1 and 4, which were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Smith* in view of *Smethers*, the Examiner asserts that the combination of *Smith* in view of *Smethers* teaches all the recitations of Claims 1 and 4. It is respectfully submitted that the Examiner is incorrect.

Both independent Claims 1 and 4 recite downloading menu icon data. However, it is respectfully submitted that neither *Smith* nor *Smethers* teach this feature of Claim 1 and 4. Although

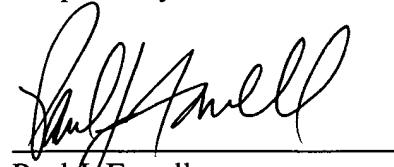
the Examiner cites col. 11, lines 15-16 and col. 6, lines 61-62 as teaching this recitation, it is respectfully submitted that these sections merely teach downloading electronic business cards (EBCs) including contact information of other people, not downloading menu icon data.

Further, this section teaches that icons may be received during a call from another user, but does not teach that they are downloaded from a database as is recited in Claims 1 and 4. Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting independent Claims 1 and 4 as being unpatentable over *Smith* in view of *Smethers*, and it is respectfully requested that the rejection of Claims 1 and 4 be withdrawn.

Accordingly, because independent Claims 1, 4, and 6 are believed to be in condition for allowance, dependent Claims 2-3, 5, and 7-8 are also believed to be in condition for allowance as being dependent upon Claims 1, 4, and 6, respectively.

In view of the preceding remarks, it is respectfully submitted that all pending claims, namely Claims 1-8, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



---

Paul J. Farrell  
Reg. No. 33,494  
Attorney for Applicant

**DILWORTH & BARRESE, LLP**  
333 Earle Ovington Blvd.  
Uniondale, NY 11553  
Tel: (516) 228-8484  
Fax: (516) 228-8516  
PJF/DMO/las